

**809.1 Definitions.**

As used in [this chapter](#), unless the context otherwise requires:

1. “*Seizable property*” means any of the following:

- a. Property which is relevant in a criminal prosecution or investigation.
- b. Property defined by law to be forfeitable property.
- c. Property which if not seized by the state poses an imminent danger to a person’s health, safety, or welfare.

2. “*Seized property*” means property taken or held by any law enforcement agency without the consent of the person, if any, who had possession or a right to possession of the property at the time it was taken into custody. Seized property does not include property taken into custody solely for safekeeping purposes or property taken into custody with the consent of the owner or the person who had possession at the time of the taking. If consent to the taking of property was given by the person in possession of the property and later withdrawn or found to be insufficient, the property shall then be returned or the property shall be deemed seized as of the time of the demand and refusal.

3. The definitions contained in [subsections 1 and 2](#) shall not apply to violations of [chapter 321](#).

[86 Acts, ch 1140, §3; 95 Acts, ch 48, §23; 96 Acts, ch 1133, §47](#)